

RESOLUTION No. 2008-26-713

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL STEPS NECESSARY TO TERMINATE THAT CERTAIN AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND ACCION, USA AND TO REALLOCATE THE SUM OF \$36,800.00 TO THE DEPARTMENT OF COMMUNITY DEVELOPMENT IN ORDER TO FUND THE EXISTING BUSINESS INCENTIVE PROGRAM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in May 2007, the City Council approved a funding allocation of \$40,000.00 to ACCION, USA ("ACCION") from the City's 1st year Community Development Block Grant Funds ("CDBG"), and

WHEREAS, the Contract between the City and ACCION, USA required ACCION, USA to provide technical assistance to 100 local businesses, and to generate three loans totaling \$18,000.00, and

WHEREAS, the initial contract term was from May 1, 2007, through September 30, 2007, but due to the fact that ACCION, USA was not able to complete its contractual obligations, it requested a 90 day contract extension through December 31, 2007, which was granted by the City Council, and

WHEREAS, City staff has been diligent in making attempts to contact ACCION, USA to ensure that the original contract is completed, but to no avail, and

WHEREAS, it is hereby requested that the City Council authorize the City Manager to take any and all steps necessary to terminate that certain Agreement between the City of Miami Gardens and ACCION, USA, and that the City Council authorize the City Manager to reallocate \$36,800.00 to the Department of Community Development to be used in the existing Business Incentive Program,

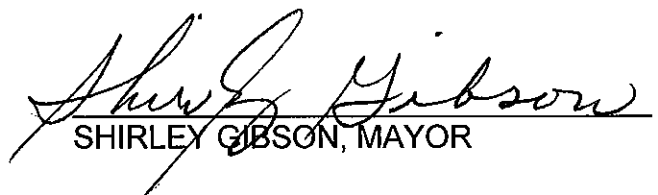
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. AUTHORIZATION: The City Council of the City of Miami Gardens, Florida, hereby authorizes the City Manager to take any and all steps necessary to terminate that certain Agreement between the City of Miami Gardens and ACCION, USA and to reallocate the sum of \$36,800.00 to the Department of Community Development in order to fund the existing Business Incentive Program.

Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON FEBRUARY 27, 2008.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: Vice Mayor Watson
SECONDED BY: Councilman Campbell

VOTE: 6-1

Mayor Shirley Gibson	<u> x </u> (Yes)	<u> </u> (No)
Vice Mayor Barbara Watson	<u> x </u> (Yes)	<u> </u> (No)
Councilman Melvin L. Bratton	<u> x </u> (Yes)	<u> </u> (No)
Councilman Oscar Braynon, II	<u> x </u> (Yes)	<u> </u> (No)
Councilman Aaron Campbell	<u> x </u> (Yes)	<u> </u> (No)
Councilwoman Sharon Pritchett	<u> </u> (Yes)	<u> x </u> (No)
Councilman André Williams	<u> x </u> (Yes)	<u> </u> (No)

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City of Miami Gardens

1515-200 NW 167th Street
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilwoman Oscar Braynon II
Councilman André Williams

Agenda Cover Page

Date: February 27, 2008

Fiscal Impact: No Yes X

(If yes, explain in Staff Summary)

Funding Source: 1st Year CDBG Funds

Contract/P.O. Requirement: Yes ☐ No ☐

Sponsor Name/Department: City Manager

Public hearing ☐

Ordinance ☐

1st Reading ☐

Advertising requirement:

RFP/RFQ/Bid # N/A

Quasi-Judicial ☐

Resolution X

2nd Reading ☐

Yes X No ☐

Title

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Staff Summary

Background

In May 2007, City Council approved a funding allocation of \$40,000 to ACCION, USA (ACCION) from the City's 1st year Community Development Block Grant Funds (CDBG). ACCION is a private, non-profit micro business lender that utilizes private capital to provide loans to small businesses. ACCION's contract required them to provide technical assistance to 100 local businesses as well as generate 3 loans totaling \$18,000.

ACCION's contract term was from May 1, 2007 thru September 30, 2007. Due to the short time period available to carry out the contractual requirements, ACCION requested a ninety (90) day contract extension (thru December 31, 2007). Said extension was approved by Council and it was anticipated that the additional time would afford this organization the time it needed to fulfill its contractual obligations. While

J-2) CONSENT AGENDA RESOLUTION

Terminate Agreement with
Accion, USA

ACCION did conduct several workshops for local small businesses, it was unable to meet the contract requirements during the contract term. Moreover, despite numerous communication attempts, staff has been unable to get in contact with the organization's program director to outline a plan for corrective action. A total of \$3,200 (of the \$40,000 originally allocated) was disbursed to ACCION, leaving a balance of \$36,800.

Therefore, staff recommends that Council approve the de-obligation of the remaining \$36,800 balance. The balance of these funds will be recaptured by the Department of Community Development and used to fund the existing Business Incentive Program, which is designed to provide direct financial assistance to businesses within the City.

Recommendation

It is recommended that City Council approve the attached resolution.